

MAY - 4 2005

DOCKET NO. 1657

APR 18 2005

FILED  
CLERK'S OFFICEATTEST: *[Signature]*  
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE VIOXX PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

## CONDITIONAL TRANSFER ORDER (CTO-6)

FILED  
MAY - 9 2005  
12:45 pmLORETTA G. WHYTE  
CLERK *[Signature]*

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 280 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005,        F.Supp.2d        (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. Beck  
Michael J. Beck  
Clerk of the Panel

Inasmuch as no objection is pending at this time, the stay is lifted.

MAY - 4 2005

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATIONCLERK'S OFFICE  
A TRUE COPYMAY 11 2005  
*[Signature]*Deputy Clerk, U.S. District Court  
Eastern District of Louisiana  
New Orleans, LA

Fee \_\_\_\_\_  
 Process 10016  
 Dktd 10016  
 CtRmDep 331  
 Doc. No. 331

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA

OFFICE OF THE CLERK

LORRETTA G. WHYTE  
CLERK

500 POYDRAS ST., SUITE C-151  
NEW ORLEANS, LA 70130

May 11, 2005

Robert Di Trolio, Clerk  
United States District Court  
Western District of Tennessee  
167 N. Main St., Room 242  
Memphis, TN 38103

In Re: MDL 1657 Vioxx Products Liability Litigation L (3)

*FILED BY  
MAY 16 2005  
Robert R. Di Trolio, Clerk  
U. S. DIST. COURT  
W. D. OF TN, MEMPHIS*

Dear Mr. Di Trolio:

Enclosed are certified copies of a transfer order received from the Multidistrict Litigation Panel in Washington, D.C. It instructs that the cases listed on the attached page be transferred to our district for disposition pursuant to Title 28 USC 1407, as soon as possible. Our office has assigned new civil action numbers to these cases as referenced on the attached page.

**DO NOT FORWARD THE ORIGINAL RECORD.** The Honorable Eldon E. Fallon, U.S. District Court Judge issued an order directing that the transfer of records consist of only a certified copy of the complaint (including notice of removal, if applicable), any amendments, the docket sheet and the MDL Transfer Order, together with a copy of the transfer letter be forwarded to the transferor court.

**Due to the high volume of cases involved in this litigation please provide paper copies of the above documents instead of simply referring to your website. Your prompt attention in this matter is greatly appreciated.**

Should you have any questions regarding this request, please contact Dina Guilbeau at (504)589-7704.

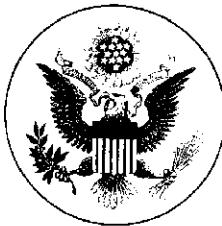
Very truly yours,  
Loretta G. Whyte, Clerk

By   
Deputy Clerk

Enclosures

cc: Judicial Panel on Multidistrict Litigation

<u>Your Case Nos.</u>	<u>Case Title</u>	<u>Our Case Nos.</u>
1:05-1067	Pauline Tharpe, et al v. Merck & Co., Inc.	05-1796 L (3)
1:05-1068	Charles M. Flippin, et al v. Merck & Co., Inc.	05-1797 L (3)
1:05-1078	Rita Rutherford v. Merck & Co., Inc.	05-1798 L (3)
2:05-2189	Christian Jensen v. Merck & Co., Inc.	05-1799 L (3)
2:05-2191	Diane McIntyre v. Merck & Co., Inc.	05-1800 L (3)



# Notice of Distribution

This notice confirms a copy of the document docketed as number 37 in case 1:05-CV-01067 was distributed by fax, mail, or direct printing on June 3, 2005 to the parties listed.

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Honorable James Todd  
US DISTRICT COURT